



**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

CHRISTOPHER LAURITON,

Plaintiffs,

vs.

MATT DOEHRING,

Defendant.

3:07-CV-0298-LRH (VPC)

**REPORT AND RECOMMENDATION
OF U.S. MAGISTRATE JUDGE**

November 8, 2007

This Report and Recommendation is made to the Honorable Larry R. Hicks, United States District Judge. The action was referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B). For the reason set forth below, it is recommended that plaintiff's complaint be dismissed without prejudice.

I. BACKGROUND, DISCUSSION & CONCLUSION

On July 2, 2007, plaintiff *in pro se* filed a request to proceed *in forma pauperis* (#1). On September 18, 2007, this court entered an order denying plaintiff's request to proceed *in forma pauperis* and ordering plaintiff to pay the full filing fee of \$350.00 on or before October 19, 2007 (#6). The court cautioned plaintiff that failure to pay the filing fee would result in a report and recommendation to the District Court that this case be dismissed. Plaintiff failed to pay the required filing fee and has not requested additional time in which to do so. Therefore, this court recommends that plaintiffs' case be **DISMISSED** without prejudice.

The parties are advised:

1. Pursuant to 28 U.S.C § 636(b)(1)(C) and Rule IB 3-2 of the Local Rules of Practice, the parties may file specific written objections to this report and recommendation within ten days of receipt. These objections should be entitled "Objections to Magistrate Judge's Report and Recommendation" and should be accompanied by points and authorities for consideration by the District Court.

II. RECOMMENDATION

DATED: November 9, 2007

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